STATUTORY RULES OF NORTHERN IRELAND

2003 No. 504

FOOD

Animal By-Products (Identification) (Amendment No. 2) Regulations (Northern Ireland) 2003

Made - - - -	*4th December 2003*
Coming into operation	*4th December 2003*

The Department of Health, Social Services and Public Safety(**1**) in exercise of the powers conferred on it by Articles 15(1)(c), (d) and (f), 25(3) and 47(2) of, and paragraph 3 of Schedule 1 to, the Food Safety (Northern Ireland) Order 1991(**2**) and of all other powers enabling it in that behalf, having had regard in accordance with Article 47(3A) of the said Order to relevant advice given by the Food Standards Agency and after consultation as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**3**) and in accordance with Article 47(3) and (3B) of the said Order, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Animal By-Products (Identification) (Amendment No. 2) Regulations (Northern Ireland) 2003 and shall come into operation on 4th December 2003.

Amendments to the Animal By-Products (Identification) Regulations (Northern Ireland) 1999

2. The Animal By-Products (Identification) Regulations (Northern Ireland) 1999(**4**) are amended in accordance with regulations 3 to 8.

3. In regulation 2 (interpretation) –

(**1**) Formerly the Department of Health and Social Services; *see*S.I. 1999/283 (N.I. 1), Article 3

(**2**) S.I. 1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12) and paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c. 28. Functions formerly exercisable by the Department of Agriculture (now the Department of Agriculture and Rural Development; *see* Article 3 of S.I. 1999/283 (N.I. 1)) are now exercisable by the Department of Health, Social Services and Public Safety pursuant to paragraph 27 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c. 28. Regulation 13(4) of S.R. 2000 No. 78 expressly authorises the Department of Health, Social Services and Public Safety to amend or revoke existing Regulations made or having effect as if made by the Department of Agriculture and Rural Development (whether with others or not) under the Food Safety (Northern Ireland) Order 1991

(**3**) O.J. No. L31, 1.2.2002, p. 1

(**4**) S.R.1999 No. 418, as amended by S.R. 2000 No. 78, S.R.2002 No. 238 and S.R. 2003 No. 9

(a) for the definition of "the 2002 Order" there shall be substituted the following definition –

""the 2003 Regulations" means the Animal By-Products Regulations (Northern Ireland) 2003(**5**);";

(b) for the definition of "approved premises" there shall be substituted the following definitions –

""approved incineration plant" means a plant which is approved as an incineration plant under regulation 14 of the 2003 Regulations;

"approved rendering plant" means a plant which is approved as a category 2 processing plant or category 2 oleochemical plant under regulation 14 of the 2003 Regulations;"; and

(c) immediately after the definition of "cold store" there shall be inserted the following definition –

""the Community Regulation" means Regulation (EC) No. 1774/2002 of the European Parliament and of the Council of 3rd October 2002 laying down health rules concerning animal by-products not intended for human consumption(**6**) as amended by and as read with –

(a) Commission Regulation (EC) No. 808/2003 amending Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption(**7**);

(b) Commission Regulation (EC) No. 811/2003 implementing Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the intra-species recycling ban for fish, the burial and burning of animal by-products and certain transitional measures(**8**);

(c) Commission Regulation (EC) No. 813/2003 on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the collection, transport and disposal of former foodstuffs(**9**);

(d) Commission Decision 2003/320/EC on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the use in feed of used cooking oil(**10**);

(e) Commission Decision 2003/321/EC on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the processing standards for mammalian blood(**11**);

(f) Commission Decision 2003/326/EC on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the separation of Category 2 and Category 3 oleochemical plants(**12**);

(g) Commission Decision 2003/327/EC on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the low capacity incineration or co-incineration plants

(**5**) S.R. 2003 No. 495
(**6**) O.J. No. L273, 10.10.2002, p. 1
(**7**) O.J. No. L117, 13.5.2003, p. 1
(**8**) O.J. No. L117, 13.5.2003, p. 14
(**9**) O.J. No. L117, 13.5.2003, p. 22
(**10**) O.J. No. L117, 13.5.2003, p. 24
(**11**) O.J. No. L117, 13.5.2003, p. 30
(**12**) O.J. No. L117, 13.5.2003, p. 42